

1 AMENDMENT TO HOUSE BILL 1493

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1493 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Toll Highway Act is amended by changing  
5 Section 10 and adding Sections 20.2 and 23.5 as follows:

6 (605 ILCS 10/10) (from Ch. 121, par. 100-10)

7 Sec. 10. Authority powers. The Authority shall have  
8 power:

9 (a) To pass resolutions, make by-laws, rules and  
10 regulations for the management, regulation and control of its  
11 affairs, and to fix tolls, and to make, enact and enforce all  
12 needful rules and regulations in connection with the  
13 construction, operation, management, care, regulation or  
14 protection of its property or any toll highways, constructed  
15 or reconstructed hereunder.

16 (a-5) To fix, assess, and collect civil fines for a  
17 vehicle's operation on a toll highway without the required  
18 toll having been paid. The Authority may establish by rule a  
19 system of civil administrative adjudication to adjudicate  
20 only alleged instances of a vehicle's operation on a toll  
21 highway without the required toll having been paid, as  
22 detected by the Authority's video surveillance system. Rules

1 establishing a system of civil administrative adjudication  
2 must provide for written notice of the alleged violation and  
3 an opportunity to be heard on the question of the violation  
4 and must provide for the establishment of a toll-free  
5 telephone number to receive inquiries concerning alleged  
6 violations. Only civil fines may be imposed by  
7 administrative adjudication. A fine may be imposed under  
8 this paragraph only if a violation is established by a  
9 preponderance of the evidence. Judicial review of all final  
10 orders of the Authority under this paragraph shall be  
11 conducted in accordance with the Administrative Review Law.

12 (b) To prescribe rules and regulations applicable to  
13 traffic on highways under the jurisdiction of the Authority,  
14 concerning:

15 (1) Types of vehicles permitted to use such  
16 highways or parts thereof, and classification of such  
17 vehicles;

18 (2) Designation of the lanes of traffic to be used  
19 by the different types of vehicles permitted upon said  
20 highways;

21 (3) Stopping, standing, and parking of vehicles;

22 (4) Control of traffic by means of police officers  
23 or traffic control signals;

24 (5) Control or prohibition of processions, convoys,  
25 and assemblages of vehicles and persons;

26 (6) Movement of traffic in one direction only on  
27 designated portions of said highways;

28 (7) Control of the access, entrance, and exit of  
29 vehicles and persons to and from said highways; and

30 (8) Preparation, location and installation of all  
31 traffic signs; and to prescribe further rules and  
32 regulations applicable to such traffic, concerning  
33 matters not provided for either in the foregoing  
34 enumeration or in the Illinois Vehicle Code. Notice of

1 such rules and regulations shall be posted conspicuously  
2 and displayed at appropriate points and at reasonable  
3 intervals along said highways, by clearly legible markers  
4 or signs, to provide notice of the existence of such  
5 rules and regulations to persons traveling on said  
6 highways. At each toll station, the Authority shall make  
7 available, free of charge, pamphlets containing all of  
8 such rules and regulations.

9 (c) The Authority, in fixing the rate for tolls for the  
10 privilege of using the said toll highways, is authorized and  
11 directed, in fixing such rates, to base the same upon annual  
12 estimates to be made, recorded and filed with the Authority.  
13 Said estimates shall include the following: The estimated  
14 total amount of the use of the toll highways; the estimated  
15 amount of the revenue to be derived therefrom, which said  
16 revenue, when added to all other receipts and income, will be  
17 sufficient to pay the expense of maintaining and operating  
18 said toll highways, including the administrative expenses of  
19 the Authority, and to discharge all obligations of the  
20 Authority as they become due and payable.

21 (d) To accept from any municipality or political  
22 subdivision any lands, easements or rights in land needed for  
23 the operation, construction, relocation or maintenance of any  
24 toll highways, with or without payment therefor, and in its  
25 discretion to reimburse any such municipality or political  
26 subdivision out of its funds for any cost or expense incurred  
27 in the acquisition of land, easements or rights in land, in  
28 connection with the construction and relocation of the said  
29 toll highways, widening, extending roads, streets or avenues  
30 in connection therewith, or for the construction of any roads  
31 or streets forming extension to and connections with or  
32 between any toll highways, or for the cost or expense of  
33 widening, grading, surfacing or improving any existing  
34 streets or roads or the construction of any streets and roads

1 forming extensions of or connections with any toll highways  
2 constructed, relocated, operated, maintained or regulated  
3 hereunder by the Authority. Where property owned by a  
4 municipality or political subdivision is necessary to the  
5 construction of an approved toll highway, if the Authority  
6 cannot reach an agreement with such municipality or political  
7 subdivision and if the use to which the property is being put  
8 in the hands of the municipality or political subdivision is  
9 not essential to the existence or the administration of such  
10 municipality or political subdivision, the Authority may  
11 acquire the property by condemnation.

12 (e) To enter into a contract with a unit of local  
13 government or other public or private entity under which the  
14 Authority agrees to collect tolls, fees, or revenues by  
15 electronic means on behalf of that entity.

16 (Source: P.A. 89-120, eff. 7-7-95.)

17 (605 ILCS 10/20.2 new)

18 Sec. 20.2. Comprehensive Strategic Financial Plan. The  
19 Authority must submit to the General Assembly, not later than  
20 January 1, 2002, a 20-year comprehensive strategic financial  
21 plan. The plan must include detailed information regarding  
22 the Authority's income, expenditures, debt, capital needs,  
23 and the cost of any planned toll highway extensions. The  
24 Authority must provide detailed and specific information  
25 regarding how it will fund its debt, unfunded capital needs,  
26 and the planned toll highway extensions. This information  
27 must include the possibility of obtaining federal funds, both  
28 loans and grants, under the Transportation Infrastructure  
29 Innovation Act or other federal programs.

30 (605 ILCS 10/23.5 new)

31 Sec. 23.5. Management audit.

32 (a) The Auditor General shall contract with a private

1 sector accounting firm doing business in this State to  
2 conduct a management audit of the State's toll highway  
3 operations and management. The Auditor General shall use a  
4 request for proposals method of selecting the accounting  
5 firm. Selection criteria must include the firm's experience  
6 in conducting similar management audits of public agencies or  
7 transportation agencies. The audit shall be performed by  
8 individuals who are certified public accountants as defined  
9 in the Illinois Public Accounting Act.

10 (b) The purpose of the audit shall be to determine  
11 whether the Authority is managing or using its resources,  
12 including toll and investment-generated revenue, personnel,  
13 property, equipment, and space, in an economical and  
14 efficient manner. The audit shall also determine the causes  
15 of any inefficiencies or uneconomical practices, including  
16 inadequacies in management information systems, internal and  
17 administrative procedures, organizational structure, use of  
18 resources, allocation of personnel, purchasing policies, and  
19 equipment. In addition to these matters, the audit shall  
20 specifically examine the process by which the Authority  
21 collects, transports, and counts toll collections.

22 (c) The accounting firm shall report its findings to the  
23 Auditor General, who shall report the findings to the  
24 Governor and the General Assembly no later than April 1,  
25 2002.

26 (d) The Authority shall pay the cost of the audit  
27 conducted under this Section.

28 Section 99. Effective date. This Act takes effect upon  
29 becoming law."